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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
BOUTAH, ALINA A

ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 08/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/514,460	AMIT ET AL.	
	Examiner	Art Unit	
	Alina N Boutah	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 February 2000* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *28 February 2000* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Drawings

The drawings are objected to because the logic (yes or no) in 312 of figure 302 does not make sense. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 10, 17, and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "substantially" in claims 1, 10, 17 and 20 is a relative term, which renders the claim indefinite. The term "substantially" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Claims 13 and 21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 13 and 21 recite the limitation "the identifier, the expiration time, and the message". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,058,389 issued to Chandra et al. (hereby Chandra) in view of USPN 6,094,694 issued to Hickson et al. (hereby Hickson) in further view of USPN 6,282,565 issued to Shaw et al. (hereby Shaw).

Regarding claim 1, Chandra teaches a computer-implemented method comprising: at a sender, in a sender transaction: receiving a message from a sender queue (Abstract); generating a substantially unique identifier and an expiration time for the message (col. 8, lines 60-66); and saving the identifier, the expiration time, and the message in a sender database (col. 8, line 66 to col. 9, line 2).

Chandra fails to teach sending the identifier, the expiration time, and the message from the sender to a receiver; at the receiver, in a receiver transaction: receiving the identifier, the expiration time, and the message from a receiver queue; determining whether the message has been expired based on the expiration time for the message; and upon determining that the

message has not expired: determining whether the message is present in a receiver database, by the identifier therefore; upon determining that the message is not present in the receiver database: saving the identifier, the expiration time, and the message in the receiver database; and, performing actions associated with the message.

Although Hickson does not explicitly teach sending an identifier, an expiration time, and a message at a sender, Hickson teaches receiving the expiration time, and the message from a receiver queue (Abstract; col. 2, line 58 to col. 3, line 9; col. 4, lines 33-39) and in order for the receiver to receive the message and its components, it must be sent by a sender. Also, although Hickson does not expressly teach receiving the identifier, it is well known in the art that in a conventional computer system, all messages have some kind of identifier.

Hickson also teaches determining whether the message has been expired based on the expiration time for the message (col. 3, lines 42-43; Abstract).

Both Chandra and Hickson fail to explicitly teach upon determining that the message has not expired: determining whether the message is present in a receiver database, by the identifier therefore; upon determining that the message is not present in the receiver database: saving the identifier, the expiration time, and the message in the receiver database; and, performing actions associated with the message.

Shaw teaches upon determining that the message has not expired: determining whether the message is present in a receiver database, by the identifier therefore (col. 12, lines 26-32 and 38-46); upon determining that the message is not present in the receiver database: saving the identifier, the expiration time, and the message in the receiver database; and, performing actions associated with the message (col. 12, lines 26-46).

At the time the invention was made, one of ordinary skill in the art would have been motivated to combine the teaching of Chandra, Hickson, and Shaw in order to provide a messaging system that quickly and efficiently determines whether a message is expired and saving it in the receiver if it is not yet expired in order to prevent unwanted (expired) message from taking up space in the receiver's database, thus ensuring the system's efficiency.

Regarding claim 2, Chandra fails to teach the method of claim 1, further comprising, at the receiver, in the receiver transaction: otherwise, upon determining that the message is present in the receiver database, discarding the message; and otherwise, upon determining that the message has expired, discarding the message. Hickson teaches at the receiver, in the receiver transaction: otherwise, upon determining that the message is present in the receiver database, discarding the message (col. 2, lines 31-39; line 58 to col. 3, line 9); and otherwise, upon determining that the message has expired, discarding the message (col. 2, lines 31-39; line 58 to col. 3, line 9). At the time the invention was made, one of ordinary skill in the art would have been motivated to combine the teaching of Chandra, and Hickson in order to provide a messaging system that quickly and efficiently determines whether a message is expired in order to prevent unwanted (expired) message from taking up space in the receiver's database, thus ensuring the system's efficiency.

Regarding claim 3, Chandra fails to teach the method of claim 1, further comprising sending an acknowledgement message from the receiver to the sender that corresponds to the message. Shaw teaches sending an acknowledgement message from the receiver to the sender

that corresponds to the message (col. 3, lines 47-52). At the time the invention was made, one of ordinary skill in the art would have been motivated to send an acknowledgment message from the receiver to the sender that corresponds to the message in order to let the sender know that it has received the message, therefore preventing the sender to send the same message again.

Regarding claim 4, Chandra fails to teach the method of claim 3, further comprising, at the sender, in a second sender transaction: receiving the acknowledgement message; and, deleting the message in the sender database that corresponds to the acknowledgement message, including the identifier and the expiration time for the message. Shaw teaches at the sender, in a second sender transaction: receiving the acknowledgement message (col. 3, lines 47-52); and, deleting the message in the sender database that corresponds to the acknowledgement message, including the identifier and the expiration time for the message (col. 12, lines 3-25). At the time the invention was made, one of ordinary skill in the art would have been motivated to combine the teaching of Chandra and Shaw by receiving an acknowledgement message and deleting the corresponding message in the database in order to prevent unwanted message from taking up space in the sender's database, thus ensuring the system's efficiency.

Regarding claim 5, Chandra fails to teach the method of claim 1, further comprising, at the sender, deleting the message from the sender database when the expiration time has been reached. Hickson teaches deleting a message when the expiration time has been reached (col. 2, lines 20-35). Although Hickson does not expressly teach the deletion of a message in the sender database, it would have been obvious to delete the expired message for the same reason. At the

time the invention was made, one of ordinary skill in the art would have been motivated to incorporate the teaching of Hickson into the teaching of Chandra in order to provide a messaging system that quickly and efficiently determines whether a message is expired in order to prevent unwanted (expired) message from taking up space in the receiver's database, thus ensuring the system's efficiency.

Regarding claim 6, Chandra fails to teach the method of claim 5, wherein deleting the message from the sender database comprises deleting the message by a scavenger thread of the sender. Hickson teaches deleting a message when the expiration time has been reached (col. 2, lines 20-35). Although Hickson does not expressly teach the deletion of a message in the sender database, it would have been obvious to delete the expired message for the same reason. At the time the invention was made, one of ordinary skill in the art would have been motivated to incorporate the teaching of Hickson into the teaching of Chandra in order to provide a messaging system that quickly and efficiently determines whether a message is expired in order to prevent unwanted (expired) message from taking up space in the receiver's database, thus ensuring the system's efficiency.

Regarding claim 7, Chandra fails to teach the method of claim 1, further comprising, at the receiver, deleting the message from the receiver database when the expiration time has been reached. Hickson teaches deleting a message when the expiration time has been reached (col. 2, lines 20-35). At the time the invention was made, one of ordinary skill in the art would have been motivated to incorporate the teaching of Hickson into the teaching of Chandra in order to provide

a messaging system that quickly and efficiently determines whether a message is expired in order to prevent unwanted (expired) message from taking up space in the receiver's database, thus ensuring the system's efficiency.

Regarding claim 8, Chandra fails to teach the method of claim 7, wherein deleting the message from the receiver database comprises deleting the message by a scavenger thread of the receiver. Hickson teaches deleting a message when the expiration time has been reached (col. 2, lines 20-35). At the time the invention was made, one of ordinary skill in the art would have been motivated to incorporate the teaching of Hickson into the teaching of Chandra in order to provide a messaging system that quickly and efficiently determines whether a message is expired in order to prevent unwanted (expired) message from taking up space in the receiver's database, thus ensuring the system's efficiency.

Regarding claim 9, Chandra fails to teach the method of claim 1, wherein the message comprises an express, non-transactional message. Hickson teaches the message comprising an express non-transactional message (abstract). At the time the invention was made, one of ordinary skill in the art would have been motivated to employ a non-transactional message in order to allow the message to be delivered by selecting the most efficient protocol that is available, thus making the system more efficient.

Claims 10, 13, 17, 20 and 21 have similar limitation as claim 1, therefore is being rejected under the same rationale.

Claims 11 and 14 have similar limitation as claim 5, therefore is being rejected under the same rationale.

Claim 12 has similar limitation as claim 4, therefore is being rejected under the same rationale.

Claim 15 has similar limitation as claim 2, therefore is being rejected under the same rationale.

Claim 16 has similar limitation as claim 13, therefore is being rejected under the same rationale.

Regarding claim 18, Chandra teaches the system of claim 17, wherein the sender further comprises a computer-readable medium and a processor, such that the first computer program is executed by the processor from the medium (figure 1).

Regarding claim 19, Chandra teaches the system of claim 17, wherein the receiver further comprises a computer-readable medium and a processor, such that the first computer program is executed by the processor from the medium (figure 1).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. USPN 6,397,352 issued to Chandrasekaran et al.
2. USPN 6,401,136 issued to Britton et al.
3. USPN 6,529,932 issued to Dadiomov et al.
4. USPN 5,916,307 issued to Piskiel et al.
5. USPN 6,418,419 issued to Nieboer et al.
6. USPN 6,205,498 issued to Habusha et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alina N Boutah whose telephone number is (703) 305-5104. The examiner can normally be reached on Monday-Friday (8:30 am-5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on (703) 308-5221. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-9112 for regular communications and (703) 305-3718 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

ANB
July 31, 2003

DAVID WILEY
SUPERVISORY PATENT EXAMINER
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